

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

BID FOR POSITION, LLC,

Plaintiff,

v.

AOL LLC and GOOGLE INC.,

Defendants.

**CASE NO. 2:07-cv-582 JBF/TEM**

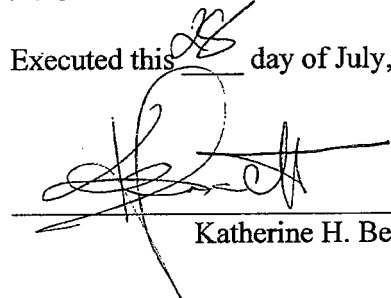
**DECLARATION OF KATHERINE H. BENNETT IN SUPPORT OF DEFENDANTS GOOGLE  
AND AOL'S MEMORANDUM IN OPPOSITION TO PLAINTIFF'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT RE: ANTICIPATION (35 U.S.C. § 102)**

I, Katherine H. Benentt, declare and state as follows:

1. I am an associate of the law firm Quinn Emanuel Urquhart Oliver & Hedges, LLP and represent Defendants Google Inc. and AOL LLC ("Defendants") in this action. This declaration is made in support of Defendants Google and AOL's Memorandum in Opposition to Plaintiff's Motion for Partial Summary Judgment re: Anticipation (35 U.S.C. § 102). The matters referred to in this declaration are based upon my personal knowledge, and if called as a witness I could testify competently to those matters.

2. Attached hereto as Exhibit 1 are true and correct copies of the Expert Report of Dr. David C. Parkes Regarding Invalidity of U.S. Patent No. 7,225,151 dated June 10, 2008, and the supporting claim charts attached as Exhibits 5-12 thereto.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge. Executed this 28 day of July, 2008 in San Francisco, California.



Katherine H. Bennett

Dated: July 28, 2008

Respectfully submitted,

/s/  
Stephen E. Noona  
VSB No. 25367  
***Counsel for Defendants Google Inc. and AOL LLC***  
KAUFMAN & CANOLES, P.C.  
150 West Main Street, Suite 2100  
Norfolk, VA 23510  
Telephone: (757) 624-3000  
Facsimile: (757) 624-3169  
[senoona@kaufcan.com](mailto:senoona@kaufcan.com)

Charles K. Verhoeven, *pro hac vice*  
David A. Perlson, *pro hac vice*  
Emily C. O'Brien, *pro hac vice*  
Antonio R. Sistos, *pro hac vice*  
Katherine H. Bennett, *pro hac vice*  
***Counsel for Defendants Google Inc. and AOL LLC***  
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111  
Telephone: (415) 875-6600  
Facsimile: (415) 875-6700  
[charlesverhoeven@quinnemanuel.com](mailto:charlesverhoeven@quinnemanuel.com)  
[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)  
[emilyobrien@quinnemanuel.com](mailto:emilyobrien@quinnemanuel.com)  
[antoniosistos@quinnemanuel.com](mailto:antoniosistos@quinnemanuel.com)  
[katherinebennett@quinnemanuel.com](mailto:katherinebennett@quinnemanuel.com)

Thomas D. Pease, *pro hac vice*  
***Counsel for Defendants Google Inc. and AOL LLC***  
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
Telephone: (212) 849-7000  
Facsimile: (212) 849-7100  
[thomaspease@quinnemanuel.com](mailto:thomaspease@quinnemanuel.com)

John M. Williamson, *pro hac vice*  
***Counsel for Defendant AOL LLC***  
FINNEGAN HENDERSON FARABOW GARRETT &  
DUNNER LLP  
901 New York Avenue, NW, Suite 700  
Washington, DC 20001  
Telephone: (202) 408-4000  
Facsimile: (202) 408-4400  
[john.williamson@finnegan.com](mailto:john.williamson@finnegan.com)

Robert L. Burns, II, *pro hac vice*  
***Counsel for Defendant AOL LLC***  
FINNEGAN HENDERSON FARABOW GARRETT &  
DUNNER LLP  
Two Freedom Square  
11955 Freedom Drive  
Reston, VA 20190  
Telephone: (571) 203-2700  
Facsimile: (202) 408-4400  
[robert.burns@finnegan.com](mailto:robert.burns@finnegan.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on July 28, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

**Counsel for Plaintiff Bid For Position, LLC**

Craig T. Merritt (VSB No. 20281)  
R. Braxton Hill, IV (VSB No. 41539)  
Nichole Buck Vanderslice (VSB No. 42637)  
CHRISTIAN & BARTON, LLP  
909 East Main Street, Suite 1200  
Richmond, VA 23219-3095  
Telephone: (804) 697-4100  
Facsimile: (804) 697-4112  
[cmerritt@cblaw.com](mailto:cmerritt@cblaw.com)  
[bhill@cblaw.com](mailto:bhill@cblaw.com)  
[nvanderslice@cblaw.com](mailto:nvanderslice@cblaw.com)

Gregory S. Dovel, *pro hac vice*  
Christin K. Cho, *pro hac vice*  
DOVEL & LUNER, LLP  
201 Santa Monica Blvd., Suite 600  
Santa Monica, CA 90401  
Telephone: (310) 656-7066  
Facsimile: (310) 656-7069  
[greg@dovellaw.com](mailto:greg@dovellaw.com)  
[christin@dovellaw.com](mailto:christin@dovellaw.com)

David E. Rosen, *pro hac vice*  
MURPHY ROSEN & MEYLAN, LLP  
100 Wilshire Blvd., Suite 1300  
Santa Monica, CA 90401  
Telephone: (310) 899-3300  
Facsimile: (310) 399-7201  
[drosen@mrmlawyers.com](mailto:drosen@mrmlawyers.com)

/s/

\_\_\_\_\_  
Stephen E. Noona  
VSB No. 25367  
*Counsel for Defendants Google Inc. and AOL LLC*  
KAUFMAN & CANOLES, P.C.  
150 West Main Street, Suite 2100  
Norfolk, VA 23510  
Telephone: (757) 624-3000  
Facsimile: (757) 624-3169  
[senoona@kaufcan.com](mailto:senoona@kaufcan.com)